

1AP7 Rec'd PCT/PTG 02 FEB 2006

24460N2PCT/US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

USA PCT National Stage Patent Application  
PCT/EP2003/005796 filed June 3, 2003

Klaus Fieback, et al

Serial No.: 10/517,124

First Submission Filed: December 1, 2005

METHOD FOR HEATING AND COOLING A ROOM  
AND A BUILDING WITH A PLURALITY OF ROOMS

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CERTIFICATE OF MAILING ON LAST PAGE  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

S I R:

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 USC  
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)  
AND SUBMISSION OF SURCHARGE FEES, TRANSLATION, PRELIMINARY  
AMENDMENT AND SIGNED DECLARATION

In response to the Office Action dated November 28, 2005 copy enclosed, respectfully submitted herewith is the signed and dated Combined Declaration of the inventors (3 pages) in compliance with 37 CFR 1.63 and 37 CFR 1.66 or 37 CFR 1.68 and 37 CFR 1.497(a) and (b), identifying the application by PCT International application no. and international filing date and with power of attorney.

Respectfully presented is also the English translation (46 pages) which is believed to be an accurate translation of the PCT/EP2003/005796 application as originally filed in the German language. This translation is requested to be used as the copy for examination purposes in the Patent Office along with the simultaneously submitted Preliminary Amendment which deletes

the form of all multiple-dependent claims so multiple-dependent claims do not exist in this application. The Preliminary Amendment includes an Abstract on a separate page to be entered simultaneously with the filing of all papers. Please enter the Preliminary Amendment BEFORE calculation of claim filing fees.

Attached is check no. 16396 in the amount of \$1810.00 (namely, \$130.00 for the processing fee for providing the translation later than 30 months from the priority date (37 CFR 1.492(f)), and \$130.00 for late but timely filing of the declaration, as well as \$1350.00 for 27 additional claims in excess of 20 claims, and \$200.00 for one additional independent claim in excess of 3 independent claims.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any over-payment to deposit account no. 06-0105.

02/07/2006 ATRAM1 00000103 10517124

01 FC:1617	130.00 OP
02 FC:1618	130.00 OP
03 FC:1615	1350.00 OP
04 FC:1614	200.00 OP

Respectfully submitted,  
Klaus Fieback, et al

by: \_\_\_\_\_

MARTIN A. FARBER  
Attorney for Applicants  
Registered Representative  
Registration No. 22,345

CERTIFICATE OF MAILING UNDER 37 CFR SECTION 1.8(a)

I hereby certify that this Response to Notification of Missing Requirements under 35 USC 371 in the United States Designated/Elected Office (DO/EO/US), signed Declaration (3 pages), English Translation, Preliminary Amendment and check no. 16396 \$1810.00 are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on Monday January 30, 2006 - (the due date January 28, 2006 is a Saturday and Monday January 30, 2006 is the next business day).

Dated: January 30, 2006

866 United Nations Plaza  
(suite 473)  
New York, NY 10017  
tel. (212) 758-2878

\_\_\_\_\_  
Martin A. Farber



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/517,124	Klaus Fieback	2460N2PCT/US

INTERNATIONAL APPLICATION NO.
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PCT/EP03/05796

I.A. FILING DATE	PRIORITY DATE
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06/03/2003

06/03/1992

Martin A Farber  
 866 United Nations Plaza  
 Suite 473  
 New York, NY 10017

CONFIRMATION NO. 4313

371 FORMALITIES LETTER



\*OC000000017529330\*

**DUE JAN. 28, 2006**

Date Mailed: 11/28/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/01/2004
- Copy of the International Search Report filed on 12/01/2004
- Copy of IPE Report filed on 12/01/2004
- Oath or Declaration filed on 12/01/2004
- U.S. Basic National Fees filed on 12/01/2004
- Priority Documents filed on 12/01/2004

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Processing fee for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(ii)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late payment of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h), for a non-small entity, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$260 for a Large Entity:

- \$130 Surcharge.
- \$130 for English translation surcharge required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*



PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/517,124	PCT/EP03/05796	2460N2PCT/US